

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, APRIL 12 1983

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING April 12 A.D., 19 83,  
IN Regular SESSION. PRESIDENT Ben A. Eisbart  
John H. Logan, Council Attorney  
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,

PRESENT THE FOLLOWING MEMBERS VIZ:  
BRADBURY ✓, BURNS ✓, EISBART ✓,  
GIAQUINTA ✓, SCHMIDT ✓, SCHOMBURG ✓,  
SCRUGGS ✓, STIER ✓, TALARICO ✓,

ABSENT \_\_\_\_\_

COUNCILMAN \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,

THE INVOCATION WAS GIVEN BY \_\_\_\_\_

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF  
\_\_\_\_\_, 19 \_\_\_\_\_. MOTION MADE AND CARRIED THAT REPORT BE MADE  
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR March 22, 19 83,  
\_\_\_\_\_, 19 \_\_\_\_,  
SPECIAL \_\_\_\_\_, 19 \_\_\_\_,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED  
AND PUBLISHED.





# The City of Fort Wayne

## Office of the Mayor

February 28, 1983

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, February 28, 1983, I have approved the following ordinances passed by the Common Council at its regular meeting of February 22, 1983.

(Bill No. S-83-02-02)  
SPECIAL ORDINANCE NO. S-36-83

AN ORDINANCE approving an amendment to a contract for engineering services with the Board of Aviation Commissioners

(Bill No. S-83-02-03)  
SPECIAL ORDINANCE NO. S-37-83

AN ORDINANCE approving Civil City Purchase Orders No. A-22264 and A-22510 with International Salt Co. and Domtar Industries, Inc., for the Street Department and the Board of Aviation

(Bill No. S-83-02-04)  
SPECIAL ORDINANCE NO. S-38-83

AN ORDINANCE approving Civil City Purchase Orders No. A-22702, A-22703, A-22704, A-22705 and A-22706 with Leo Builders, Aero Oil Co., Smith Petroleum, Inland and Linder Oil Co., for various departments within the City of Fort Wayne

(Bill No. S-83-02-05)  
SPECIAL ORDINANCE NO. S-39-83

AN ORDINANCE approving Civil City Purchase Orders No. A-22710, A-22711, A-22712, A-22713, A-22714, A-22715, A-22716, A-22717 and A-22718 with Allen



County Aggregate, Phoenix Trucking Inc., Paul Brudi Stone & Gravel, Klink Trucking, Inc., W & W Gravel Co., Stone Street Gravel, Canyon Sand & Gravel, Inc., Old Indian Materials and May Stone & Sand, Inc., for various departments within the City of Fort Wayne

(Bill No. S-83-02-06)  
SPECIAL ORDINANCE NO. S-40-83

AN ORDINANCE approving City Utilities Purchase Order No. A-20422 with Allen County Motors for the Street Department

(Bill No. S-83-02-07)  
SPECIAL ORDINANCE NO. S-41-83

AN ORDINANCE approving City Utilities Blanket Purchase Order No. A-24298 with Construction Products Corporation for Water Pollution Control Maintenance Department

(Bill No. S-83-02-08)  
SPECIAL ORDINANCE NO. S-42-83

AN ORDINANCE approving City Utilities Blanket Purchase Order No. A-23906 with Construction Products Corporation for Water Pollution Control Maintenance Department

(Bill No. R-83-02-01)  
RESOLUTION NO. R-05-83

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$20,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING THE APPLICANT, CONVEN, LTD. AN INDIANA LIMITED PARTNERSHIP TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT

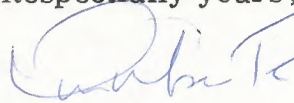
(Bill No. R-83-02-10)  
RESOLUTION NO. R-06-83

A RESOLUTION authorizing the submission of a final statement of community development objectives including the projected use of funds and required certifications to the United States Department of Housing and Urban Development

(Bill No. S-83-02-15)  
SPECIAL ORDINANCE NO. S-43-83

AN ORDINANCE approving Change Order No. 10 and FINAL, Resolution No. 310-80 Phase I, St. Joe Interconnect, St. Joe Study Area C-180599-06, in connection with the Board of Public Works

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Win Moses, Jr.", is written over the printed name.

Win Moses, Jr.  
Mayor





# The City of Fort Wayne

## Office of the Mayor

March 10, 1983

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, March 10, 1983, I have approved the following ordinances passed by the Common Council at its regular meeting of March 8, 1983.

(Bill No. A-83-02-16)

APPROPRIATION ORDINANCE NO. A-02-83

AN ORDINANCE appropriating funds from the Corporate General Fund to certain accounts within the 1983 budget of the Board of Public Works

(Bill No. A-83-02-18)

APPROPRIATION ORDINANCE NO. A-02-83

AN ORDINANCE appropriating funds from the Local Road & Street Fund to accounts within the budget of the Local Road & Street Fund 1983

(Bill No. A-83-02-19)

APPROPRIATION ORDINANCE NO. A-03-83

AN ORDINANCE transferring certain monies from the Cash Reserve Fund of the Electric Utility to the General Fund of the City of Fort Wayne, Indiana

(Bill No. A-83-02-20)

APPROPRIATION ORDINANCE NO. A-04-83

AN ORDINANCE appropriating funds from the MVH Fund to certain accounts within the 1983 budget of the Street Department

(Bill No. A-83-02-21)

APPROPRIATION ORDINANCE NO. A-05-83



AN ORDINANCE appropriating funds from the Cumulative Capital Fund to certain accounts within the 1983 budget of the Cumulative Capital Fund 1983

(Bill No. S-83-02-28)  
SPECIAL ORDINANCE NO. S-44-83

AN ORDINANCE approving Civil City Purchase Order #A-23061 with James F. Ries/National Sweep-All, Inc. a Joint Venture for the Board of Public Works

(Bill No. S-83-02-29)  
SPECIAL ORDINANCE NO. S-45-83

AN ORDINANCE approving City Utilities Purchase Order No. A-24337 with Graybar Electric Company, Inc. for the Street Lighting Department

(Bill No. S-83-02-35)  
SPECIAL ORDINANCE NO. S-46-83

AN ORDINANCE approving City Utilities Purchase Order No. A-24621 with Kennedy Valve for the Water Maintenance & Service Department

(Bill No. S-83-02-36)  
(as amended)  
SPECIAL ORDINANCE NO. S-47-83

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS CITY OF FORT WAYNE, INDIANA FLOATING RATE MONTHLY DEMAND REVENUE BONDS (THE FORT WAYNE CIVIC ENTER PROJECT) 1983 SERIES AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-83-03-08)  
RESOLUTION NO. R-07-83

Regarding the Embassy Theatre

(Bill No. R-83-02-23)  
RESOLUTION NO. R-08-83

A RESOLUTION providing for the 1983 funding of the Electric Utility Cash Reserve Fund created in 1975

(Bill No. R-83-02-24)  
RESOLUTION NO. R-09-83

A RESOLUTION authorizing the transfer of funds between certain accounts within the 1983 budgets of certain City departments

(Bill No. R-83-02-25)  
RESOLUTION NO. R-10-83

AMENDED RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$6,000,000 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING THE APPLICANT, AWB REALTY CORP. TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-82-12-40)  
DECLARATORY RESOLUTION NO. R-11-83

A DECLARATORY RESOLUTION designating an "Urban Development Area" under I.C. 6-1.1-12.1, said Area more commonly known as 1140 Hayden Street, Fort Wayne, Indiana

(Bill No. R-83-01-24)  
DECLARATORY RESOLUTION NO. R-12-83

A DECLARATORY RESOLUTION designating an "Urban Development Area" under I.C. 6-1.1-12.1

(Bill No. R-83-01-25)  
DECLARATORY RESOLUTION NO. R-13-83

A DECLARATORY RESOLUTION designating an "Urban Development Area" under I.C. 6-1.1-12.1

(Bill No. R-83-02-31)  
REGULATORY RESOLUTION NO. R-14-83

A REGULATORY RESOLUTION authorizing the posting of "No Parking" signs with respect to Street Sweeping of City Streets

(Bill No. R-83-03-01)  
RESOLUTION NO. R-15-83



Page 4  
Common Council

A RESOLUTION honoring Heritage High School Girls' basketball team

(Bill No. S-83-02-33)  
SPECIAL ORDINANCE NO. S-48-83

AN ORDINANCE approving a contract by the City of Fort Wayne by and through its Board of Public Works and The Weikel Line Company for Res. 163-82, Ornamental Street Lighting on Edgeknoll Lane


(Bill No. S-83-02-34)  
SPECIAL ORDINANCE NO. S-49-83

AN ORDINANCE approving a contract by the City of Fort Wayne by and through its Board of Public Works and John Dehner, Inc. for Res. 374-82, sewer repairs for Third Street

(Bill No. G-83-02-32)  
(as amended)  
GENERAL ORDINANCE NO. G-05-83

AN ORDINANCE approving the Municipally Funded Low Cost Spay/Neuter Clinic Agreement

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Win Moses, Jr.", is written over the printed name.

Win Moses, Jr.  
Mayor





# The City of Fort Wayne

## Office of the Mayor

March 23, 1983

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, March 23, 1983, I have approved the following ordinances passed by the Common Council at its regular meeting of March 22, 1983.

(Bill No. A-83-03-03)  
APPROPRIATION ORDINANCE NO. A-06-83

AN ORDINANCE appropriating funds in the Unobligated-Unappropriated balance of the Aviation Fund to allow for completion of certain projects

(Bill No. A-83-02-22)  
(as amended) (as amended)  
APPROPRIATION ORDINANCE NO. A-07-83

AN ORDINANCE appropriating funds from the Cable TV Fund to certain accounts within the 1983 budget of the Cable TV Fund 1983 and providing for a Common Council appointee to the Governing Board of START (Hi Tech)

(Bill No. A-83-02-27)  
(as amended) (as amended) (as amended)  
APPROPRIATION ORDINANCE NO. A-08-83

AN ORDINANCE appropriating funds from the Revenue Sharing Trust Fund to various accounts within the 1983 budget of the Revenue Sharing Fund 1983 and providing for a Common Council appointee to I/R Organization (Switchboard)

(Bill No. S-83-03-05)  
SPECIAL ORDINANCE NO. S-50-83

AN ORDINANCE approving City Utilities Purchase Order No. A-24737 with Midwest Tile & Concrete for the Water Pollution Control Maintenance Department



(Bill No. S-83-03-06)  
SPECIAL ORDINANCE NO. S-51-83

AN ORDINANCE approving Civil City Purchase Order Nos. A-23258 and A-23259 with Allen County Motors, for the Fort Wayne Animal Control Commission

(Bill No. S-83-03-07)  
SPECIAL ORDINANCE NO. S-52-83

AN ORDINANCE approving City Utilities Purchase Order No. A-24235 with Industrial Fuel Oils for the Three Rivers Filtration Plant

(Bill No. R-83-03-04)  
RESOLUTION NO. R-15-83

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$2,000,000 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING THE APPLICANT, HEALTH CARE FUND TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-83-03-32)  
RESOLUTION NO. R-16-83

A RESOLUTION authorizing a Fire Protection Contract between the City of Fort Wayne, Indiana, and Holiday Inns., Inc.

(Bill No. R-83-03-36)  
RESOLUTION NO. R-17-83

A RESOLUTION authorizing the transfer of insurance indemnities received for damage to City property to certain accounts with the 1983 budget of the Park Department for the purpose of repairs to such property

(Bill No. R-83-03-37)  
RESOLUTION NO. R-18-83

A RESOLUTION authorizing the temporary advancement of funds from the Electric Utility Fund, Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, and Local Road and Street Fund to the General Fund for the period ending December 31, 1983



(Bill No. G-83-01-06)  
(as amended)  
GENERAL ORDINANCE NO. G-08-83

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating alleys thereof

(Bill No. G-83-03-12)  
GENERAL ORDINANCE NO. G-06-83

AN ORDINANCE accepting Minimum Housing responsibilities within the City of Fort Wayne, Indiana

(Bill No. G-83-03-13)  
(as amended)  
GENERAL ORDINANCE NO. G-09-83

AN ORDINANCE amending The Code of the City of Fort Wayne, Indiana of 1974, to coincide with Appropriation Ordinance No. A-83-02-22 (as amended) (as amended)

(Bill No. Z-83-02-11)  
ZONING MAP ORDINANCE NO. Z-01-83

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

(Bill No. S-83-03-15)  
SPECIAL ORDINANCE NO. S-53-83

AN ORDINANCE approving Change Order No. 1 for Resolution No. 5907-81, Harrison Hill Improvement Project, in connection with the Board of Public Works

(Bill No. S-83-03-16)  
SPECIAL ORDINANCE NO. S-54-83

AN ORDINANCE approving Change Order No. 1 FINAL, Resolution No. 327-80, "Neuhaus Ditch Phase I", Spy Run Study Area Project No. C-180599-07, in connection with the Board of Public Works

(Bill No. S-83-03-17)  
SPECIAL ORDINANCE NO. S-55-83

AN ORDINANCE approving Change Order No. 4 and FINAL on Resolution No. 348-80, "Ansley-Lagro", Junk Ditch Study Area, Project No. 180599-09, in connection with the Board of Public Works

(Bill No. S-83-03-18)  
SPECIAL ORDINANCE NO. S-56-83

AN ORDINANCE approving Change Order No. 4 and FINAL for Resolution No. 342-80, Covington Road - Country Club, Junk Ditch Study Area, Project No. C-180599-09, in connection with the Board of Public Works

(Bill No. S-83-03-19)  
SPECIAL ORDINANCE NO. S-57-83

AN ORDINANCE approving Change Order No. 2 and FINAL, Resolution No. 341-80, "Swinney Park" Project No. C-180599-09, Junk Ditch Study Area, in connection with the Board of Public Works

(Bill No. S-83-03-20)  
SPECIAL ORDINANCE NO. S-58-83

AN ORDINANCE approving Change Order No. 4 and FINAL, Resolution No. 349-80, "Sprunger Lift Station Elimination", Project No. C-180599-09, Junk Ditch Study Area, in connection with the Board of Public Works

(Bill No. S-83-03-21)  
SPECIAL ORDINANCE NO. S-59-83

AN ORDINANCE approving Change Order No. 5, Resolution No. 351-80, Westwood Addition, Project No. C-180599-09, Junk Ditch Study Area, in connection with the Board of Public Works

(Bill No. S-83-03-22)  
SPECIAL ORDINANCE NO. S-60-83

AN ORDINANCE approving Change Order No. 1, Resolution No. 352-80, Rehabilitation of Sewers SSES Subsystem FS, IS and US, Project No. C-180599-09, Junk Ditch Study Area, in connection with the Board of Public Works

(Bill No. S-83-03-23)  
SPECIAL ORDINANCE NO. S-61-83

AN ORDINANCE approving a contract by the City of Fort Wayne by and through its Board of Public Works and Scheidleman Excavating, Inc. for Res. 377-80, Leo Road-Clinton Park 12" Sanitary Sewer Extension



(Bill No. S-83-03-24)  
SPECIAL ORDINANCE NO. S-62-83

AN ORDINANCE approving an Agreement by the City of Fort Wayne by and through its Board of Public Works for a Sanitary Sewer Extension Agreement for Customcraft, Inc. between Icon, Inc. d/b/a Customcraft Plastic Products.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Win Moses, Jr.", is written over a faint circular official stamp.

Win Moses, Jr.  
Mayor



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 March 1983

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-82-12-41 (AS AMENDED)

Respectfully submitted,

CITY PLAN COMMISSION

Stephen A. Bailey  
Secretary

Certified and signed this  
29th day of March 1983.





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 March 1983

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Re: Bill No. Z-82-12-41 (AS AMENDED)  
From B-1-A to B-3-B

Gentlemen and Mrs. Bradbury:

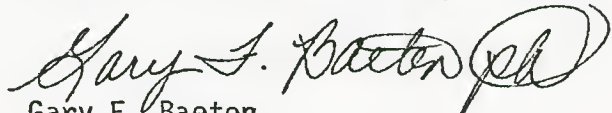
Please be advised that the City Plan Commission of the City of Fort Wayne, Indiana, at its regular meeting held March 28, 1983, reconsidered Bill No. Z-83-12-41 (As Amended). This bill was rejected by the City Council at their regular meeting held March 8, 1983 and subsequently, as is required by I.C. 18-7-4-510, returned to the City Plan Commission for reconsideration.

The City Plan Commission recommended DO PASS of Bill No. Z-82-12-41 (As Amended) at their meeting of March 28, 1983. The vote on said bill was six (6) yeas; one (1) nay; and two (2) members were absent.

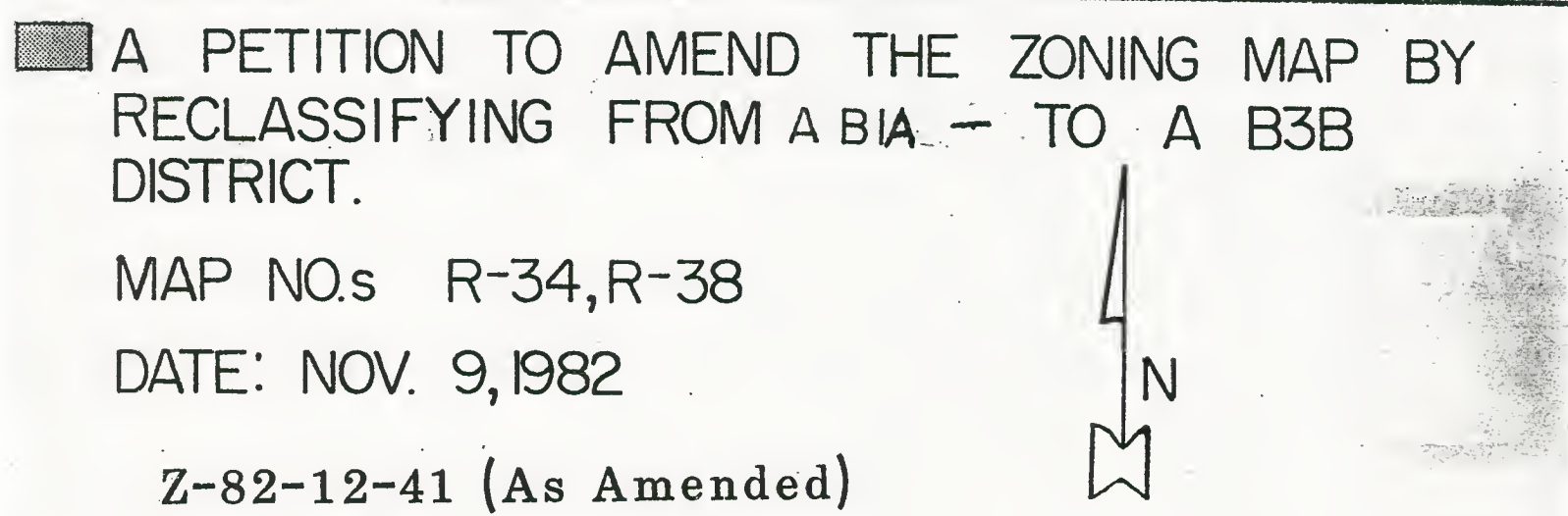
If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING  
Division of Land Use Management

  
Gary F. Baeten  
Senior Planner

GFB:pb



By M. A. GECOWETS





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 March 1983

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-83-03-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
29th day of March 1983.

Stephen A. Bailey  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 March 1983

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-03-11
2. From B-3-B to B-4
3. Intended Use: Auction Hall
4. Plan Commission Recommendation: DO NOT PASS


This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The value of the area adjacent to the property included in the rezoning will be adversely affected.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING  
Division of Land Use Management

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 8, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-03-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 21, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact".

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

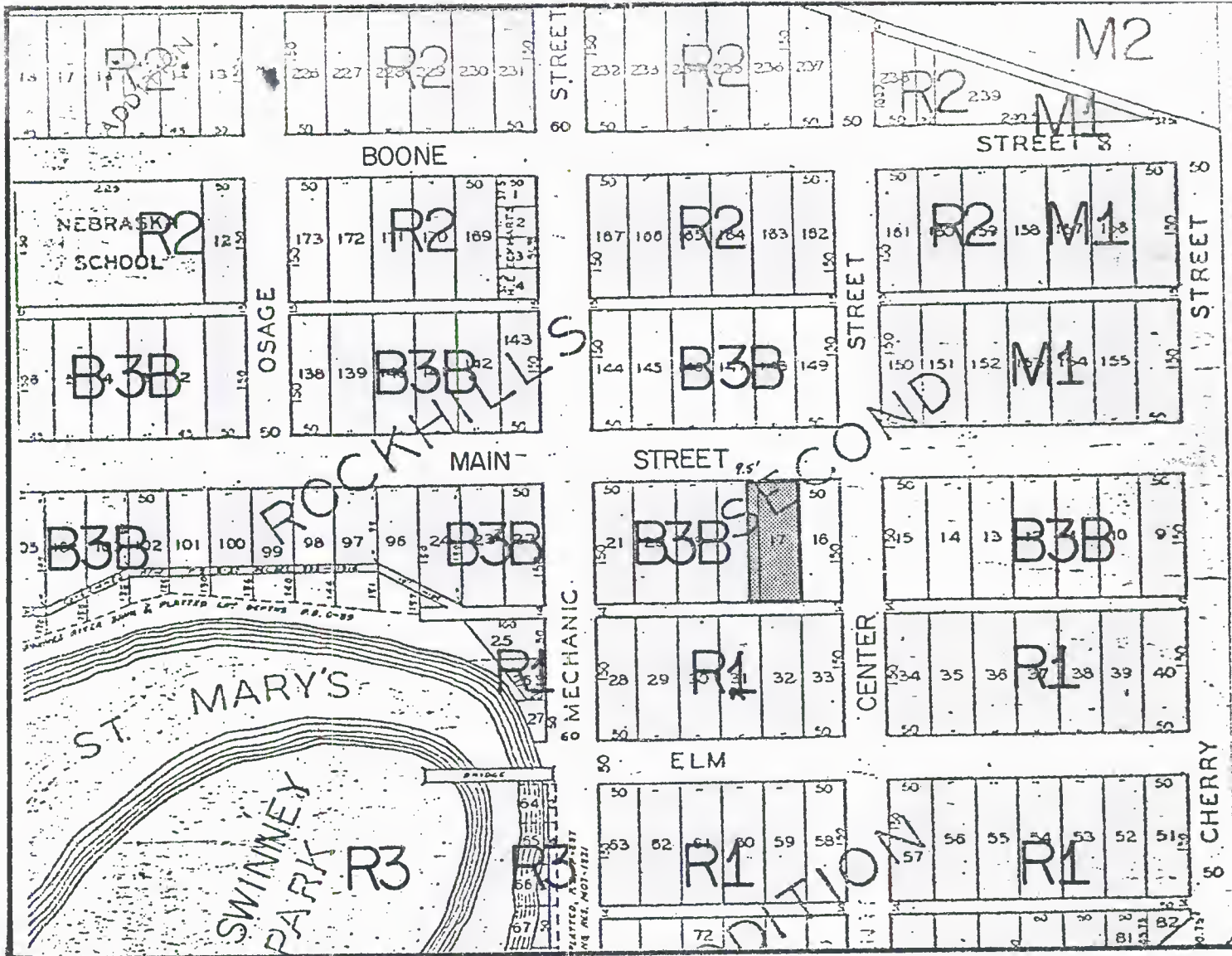
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 28, 1983.

Certified and signed this  
30th day of March 1983.



Stephen A. Bailey  
Secretary



■ AN APPEAL TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM A B3B TO A B4 DISTRICT.

MAP NO. K-6

DATE: FEB. 22, 1983

Z-83-03-11

BY M. A. GECOWETS







## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 March 1983

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-83-03-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
30th day of March 1983.

Stephen A. Bailey  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 March 1983

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-03-09
2. From R-1 to R-3
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO NOT PASS

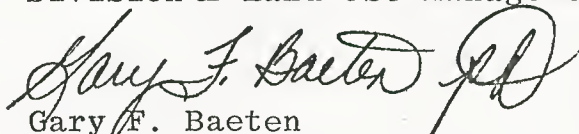
This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The use and value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING  
Division of Land Use Management

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 8, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-03-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 21, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact".

- (1) the grant will be injurious to the public health, safety, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 28, 1983.

Certified and signed this  
30th day of March 1983.



Stephen A. Bailey  
Secretary







## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

4 April 1983

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is an ordinance amending Chapter 26 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Subdivisions".


This amendment received a "DO PASS" recommendation at the regular business meeting of the City Plan Commission held March 28, 1983 for the following reason:

The ordinance, as proposed, will comply with the recently approved changes in the state law dealing with subdivisions.

If you have any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Certified and signed this  
4th day of April 1983.



Stephen A. Bailey  
Secretary


President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolutions Numbers: 30/83/E  
31/83/E  
32/83/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

  
Nick Palermo, Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 30/83/E  
31/83/E)  
32/83 E

I hereby certify that I did this 25th day of  
March, 1983 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 30/83/E  
31/83/E of the Board of Public  
32/83/E  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 30/83/E

(Adopted March 25, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW AND EXTEND REG. RES. 12/83/E: DELETE:

NO PARKING (EMERGENCY)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 24, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 83 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

NO PARKING (EMERGENCY)

Berry Street -- south side -- from Union Street to Rockhill Street



REGULATORY RESOLUTION NO. 31/83/E

(Adopted March 25, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 13/83/E: TRAFFIC

SIGNAL (EMERGENCY) AND DELETE: STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 24, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 83 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TRAFFIC SIGNAL (EMERGENCY )

Hobson Road at Trier Road

DELETE:

STOP INTERSECTION (EMERGENCY)

Hobson Road -- stop -- for Trier Road

Trier Road -- stop -- for Hobson Road

REGULATORY RESOLUTION NO. 32/83/E

(Adopted March 25, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 14/83/E: ONE WAY

STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 24, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY STREET

(EMERGENCY)

McKinnie Avenue (North Portion) -- westbound -- from Euclid Avenue to Anthony Blvd.

Presidnet of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Number: 33/83/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolution a matter of record and  
incorporate it into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" being more prominent and the last name "Palermo" written in a continuous script.

Nick Palermo, Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 33/83/E)

I hereby certify that I did this 5th day of April, 1983 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 33/83/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

  
CHAIRMAN, Board of Public Safety

(Adopted April 5, 19 83)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

regard to THRU STREET (EMERGENCY)

: AND,

dated           March                 30, 1983,  
submitted to this Board his advice with regard to the regulation  
herein adopted, which written memorandum is on file in the  
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 5, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Lumbard Street -- from -- Maumee Avenue to New Haven Avenue except  
at Maumee Avenue and New Haven Avenue

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolutions Numbers: 34/83/E  
35/83/E  
36/83/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" being more prominent and the last name "Palermo" written in a continuous script.

Nick Palermo, Chairman  
Board of Public Safety



REGULATORY RESOLUTION NO. 35/83/E

(Adopted April 6, 1983)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 16/83/E: DELETE:

ONE-WAY STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated April 5, 1983, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 6, 1983, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

ONE-WAY STREET (EMERGENCY)

Williams Street -- eastbound -- from Fairfield Avenue to Taylor Street

REGULATORY RESOLUTION NO. 36/83/E

(Adopted April 6, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 17/83/E: STOP

INTERSECTION (EMERGENCY)

\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 5, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 6, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Stony Run Lane -- stop -- for Archwood Lane

Stony Run Lane -- stop -- for Camden Drive

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 37/83/E  
38/83/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" being more prominent and the last name "Palermo" following in a similar style.

Nick Palermo, Chairman  
Board of Public Safety



R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 37/83/E  
38/83 E)

I hereby certify that I did this 8th day of  
April, 19 83 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 37/83 E of the Board of Public  
38/83/E  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 37/83/E  
(Adopted April 8, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to SPEED LIMIT 45 MPH (EMERGENCY) AND DELETE:

SPEED LIMIT 55 MPH (EMERGENCY)  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 6, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 8, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 45 MPH (EMERGENCY)

Illinois Road -- from Interstate 69 to West Jefferson Boulevard

DELETE

SPEED LIMIT 55 MPH (EMERGENCY)

Illinois Road -- from Interstate 69 to South Illinois Road

REGULATORY RESOLUTION NO. 38/83/E

(Adopted April 8, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to DELETE: ONE WAY STREET (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 7, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 8, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

ONE WAY STREET (EMERGENCY)

Barr Street -- southbound -- from Wayne Street to Washington Boulevard



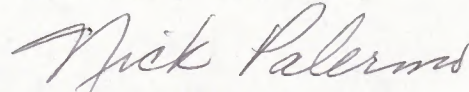
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Number: 39/83/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolution a matter of record and  
incorporate it into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

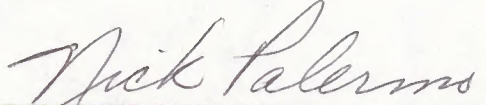
A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" and last name "Palermo" clearly distinguishable.

Nick Palermo, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 39/83/E)

I hereby certify that I did this 11th day of  
April, 19 83 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 39/83/E of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety



(Adopted April 11, 1983)

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated                     April                     8, 1983, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 11, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fry Street -- stop -- for Boone Street



THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of April, 19 83 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Charles W. Westerman  
City Clerk